



General Assembly

Bill No. 44

February Session, 2008

LCO No. 623

00623_____

Referred to Committee on Transportation

Introduced by:

SEN. MCKINNEY, 28th Dist.

REP. CAFERO, 142nd Dist.

AN ACT CONCERNING OUTDOOR ADVERTISING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21-50 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No person, firm or corporation shall erect or maintain any
4 outdoor advertising structure, device or display until a permit for the
5 erection of such structure, device or display has been obtained from
6 the Commissioner of Transportation. Application for such permit shall
7 be in writing, signed by the applicant or his authorized agent, upon
8 blanks furnished by the commissioner in such form and requiring such
9 information as he prescribes. Each application shall have attached
10 thereto (1) the written consent of the owners of the property on which
11 such structure, device or display is to be erected or maintained, (2) a
12 notice of concurrence by the Department of Transportation, stating
13 that the outdoor advertising structure and its location do not conflict
14 with, nor adversely impact, any planned transportation infrastructure
15 project, and (3) a tree trimming and vegetation management control

16 plan, set forth on such forms as may be prescribed by the department.
 17 Any sign whose message periodically changes by electronic or
 18 mechanical process or by remote control, which is located within such
 19 proximity to another variable message sign, that the messages of both
 20 signs are simultaneously visible from the same point along the travel
 21 way, shall not be permitted. Each application shall be accompanied by
 22 a fee as provided in subsection (a) of section 21-52. The fee for such
 23 permit shall be as provided in subsection (b) of said section and shall
 24 be payable upon the granting of such permit and annually thereafter
 25 on the first day of August.

26 (b) Notwithstanding the provisions of section 13a-123 and
 27 subsection (a) of this section, no permit to erect or maintain any
 28 outdoor advertising structure, device or display located on state-
 29 owned property shall be renewed upon its expiration.

30 (c) On or after June 1, 2008, the commissioner shall not issue permits
 31 for the erection of any outdoor advertising structure, device or display
 32 located on state property.

33 (d) On or after June 1, 2008, the commissioner shall not issue
 34 permits for the erection of any outdoor advertising structure, device or
 35 display whose message periodically changes by electronic or
 36 mechanical process or by remote control.

37 Sec. 2. Subsections (e) and (f) of section 13a-123 of the general
 38 statutes are repealed and the following is substituted in lieu thereof
 39 (*Effective from passage*):

40 (e) The following types of signs, displays and devices may, with the
 41 approval of and subject to regulations promulgated by the
 42 commissioner, be permitted within the six-hundred-sixty-foot area of
 43 interstate, primary and other limited access state highways, except as
 44 prohibited by state statute, local ordinance or zoning regulation: (1)
 45 Directional and other official signs or notices, which signs and notices
 46 shall include, but not be limited to, signs and notices pertaining to

47 natural wonders and scenic and historical attractions which are
48 required or authorized by law; (2) signs, displays and devices
49 advertising the sale or lease of the property upon which they are
50 located; (3) signs, displays and devices advertising activities conducted
51 on the property on which they are located; and (4) signs, displays or
52 advertising devices which are in place for sixty days or less. Subject to
53 regulations promulgated by the commissioner and except as
54 prohibited by state statute, local ordinance or zoning regulation signs,
55 displays and devices may be erected and maintained within six
56 hundred and sixty feet of primary and other limited access state
57 highways in areas which are zoned for industrial or commercial use
58 under authority of law or located in unzoned commercial or industrial
59 areas which areas shall be determined from actual land uses and
60 defined by regulations of the commissioner. The regulations of the
61 commissioner in regard to size, spacing and lighting shall apply to any
62 segments of the interstate system which traverse commercial or
63 industrial zones wherein the use of real property adjacent to the
64 interstate system is subject to municipal regulation or control, or which
65 traverse other areas where the land use, as of September 21, 1959, was
66 clearly established under state law as industrial or commercial.

67 (f) Notwithstanding the provisions of subsections (a) and (e) of this
68 section, signage that may be changed at intervals by electronic or
69 mechanical process or by remote control shall be permitted within six
70 hundred sixty feet of the edge of the right-of-way of any interstate,
71 federal-aid primary or other limited access state highway, except as
72 prohibited by state statute, local ordinance or zoning regulation,
73 provided such signage (1) has a static display lasting no less than six
74 seconds, (2) achieves a message change with all moving parts or
75 illumination moving or changing simultaneously over a period of
76 three seconds or less, [and] (3) does not display any illumination that
77 moves, appears to move or changes in intensity during the static
78 display period, and (4) can not be visible at the same time as any other
79 existing or proposed sign of similar message changing ability.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	21-50
Sec. 2	<i>from passage</i>	13a-123(e) and (f)

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]